

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Matthew Chaves	Team: Squad #7	CCRB Case #: 202008374	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Saturday, 05/30/2020 5:04 PM	Location of Incident: 728 5th Avenue	Precinct: 18	18 Mo. SOL 11/30/2021	EO SOL 5/4/2022	
Date/Time CV Reported Tue, 12/22/2020 12:29 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Tue, 12/22/2020 12:29 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Vansroy Laird	21737	959745	017 PCT
2. Officers			

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM John Tourloukis	10247	957224	MTN PCT
2. POM Sefer Tafariuci	05713	965885	017 PCT
3. SGT Stephen Frappier	01459	943253	HQ SEC

Officer(s)	Allegation	Investigator Recommendation
A. Officers	Force: Officers used physical force against an individual.	
B. POM Vansroy Laird	Force: Police Officer Vansroy Laird used physical force against § 87(2)(b)	

Case Summary

On December 22, 2020, § 87(2)(b) filed the following complaint with the CCRB via the agency's website.

At approximately 7:04 p.m. on May 30, 2020, § 87(2)(b) was participating in a large anti-police brutality march as it made its way past 728 5th Avenue in Manhattan. Numerous officers began to clear the street and set up barriers, and officers allegedly brought a civilian forcefully to the ground (**Allegation A: Force: Physical Force:** § 87(2)(g) § 87(2)(b)). PO Vansroy Laird of the 17th Precinct approached § 87(2)(b) and ordered her to step back on to the sidewalk. § 87(2)(b) refused, and PO Laird grabbed her arm and brought her to the ground (**Allegation B: Force: Physical Force:** § 87(2)(g) § 87(2)(b)). PO Laird handcuffed § 87(2)(b) and brought her to a police vehicle. The NYPD eventually released § 87(2)(b) from custody with a summons for disorderly conduct.

The investigation obtained BWC video of this incident from PO Laird and three witness officers. PO Laird's first BWC video (**Board Review 01**) is most material to the FADO allegation.

Findings and Recommendations

Allegation A – Force: Physical Force: Officers used physical force against an individual.

§ 87(2)(b) provided a statement over the phone on January 14, 2021 (**Board Review 02**).

In her interview, § 87(2)(b) said that officers arrested civilians by “tackling” them, including an approximately 5’10” tall white male in his 20s with a slim build, short blonde hair, and a clean-shaven face. In the middle of the Fifth Avenue, two male officers in riot gear grabbed the white male by his shoulders and shoved him forward onto the ground with enough force that it caused a significant collusion between his chest and the ground. § 87(2)(b) did not identify the white male further.

The investigation obtained five BWC videos of this incident (see IAs #43 through #47), and while the available video does show people on ground surrounded by officers, none of the BWC shows how any of these people were brought to the ground or what preceded their apprehension. § 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

Allegation B – Force: Physical Force: Police Officer Vansroy Laird used physical force against § 87(2)(b)

PO Laird was interviewed at the CCRB on May 17, 2021 (**Board Review 03**).

The material facts surrounding this allegation are undisputed and largely captured on PO Laird's BWC video (**Board Review 01**). For the first 50 seconds of the video, PO Laird walks in the main traffic lanes of 5th Avenue slightly south of 57th Street. Police,

including white-shirted supervisors, officers in riot helmets, and officers from TARU and the Legal Bureau, patrol the street and take civilians into custody.

Starting at approximately 0:50, PO Laird begins walking towards the eastern sidewalk of 5th Avenue. At 0:52 seconds, § 87(2)(b) is seen standing in the bicycle lane, just in front of the sidewalk (note the civilian wearing dark shoes, blue jeans, a dark, short-sleeve shirt, a dark face mask, and a dark baseball cap in the middle of the video frame). At 0:55, § 87(2)(b) is clearly visible at the left edge of the video frame, to the viewer's left of a civilian holding a white posterboard sign and a civilian in a bright red two-piece outfit. At this point in the video, there is no audio due to the standard 1-minute silent buffer on NYPD Axon-brand BWCs. However, PO Laird's left hand is visible in the bottom left corner of the video frame. PO Laird gestures with an open hand as though to indicate that § 87(2)(b) should move to the side. Furthermore, § 87(2)(b) said in her interview that after she stepped off the sidewalk and into the bicycle lane of 5th Avenue, PO Laird instructed her to return to the sidewalk. She replied, "Fuck you."

At 1:00, the audio track begins and PO Laird orders § 87(2)(b) to get on the sidewalk. § 87(2)(b) does not respond, and PO Laird immediately grabs her right upper arm while saying "she's under". PO Laird uses his grip to push § 87(2)(b) down on to the ground, and two other officers assist him in pushing her. The officers handcuff § 87(2)(b) then stand her up. PO Laird then escorts her to a police vehicle.

Under New York Penal Law 240.20, a person is guilty of disorderly conduct when they obstruct vehicular or pedestrian traffic or congregate with other people in a public place and refuse to comply with a lawful order of the police to disperse (**Board Review 04**). Under NYPD Patrol Guide Procedure 221-01, officers may use force when it is reasonable to place a person in custody or to prevent escape from custody (**Board Review 05**).

§ 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) has been a party (**Board Review 06**).
- PO Laird has been a member of service for six years and this is the first CCRB complaint in which he has been subject.

Mediation, Civil and Criminal Histories

- This complaint was unsuitable for mediation.
- As per the New York City Comptroller's Office, no Notice of Claim has been filed regarding this incident (**Board Review 08**).
- According to the Office of Court Administration (OCA), § 87(2)(b) has no history of criminal convictions in New York City (**Board Review 07**).

Squad No.: 7

Investigator:	<u>Matthew Chaves</u> Signature	<u>SI Matthew Chaves</u> Print Title & Name	<u>11/29/2021</u> Date
Squad Leader:	_____ Signature	Manager Vanessa Rosen _____ Print Title & Name	11/30/2021 _____ Date
Reviewer:	_____ Signature	_____ Print Title & Name	_____ Date